

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34083

STATE OF IDAHO,)	2008 Unpublished Opinion No. 444
)	
Plaintiff-Respondent,)	Filed: April 28, 2008
)	
v.)	Stephen W. Kenyon, Clerk
)	
MARVELL CLEM KAYKAY,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael E. Wetherell, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of four years, for delivery of a controlled substance, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

PER CURIAM

Marvell Clem Kaykay was found guilty of delivery of a controlled substance. I.C. §§ 37-2732(a), 18-204. The district court sentenced Kaykay to a unified term of ten years, with a minimum period of confinement of four years. Kaykay appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Kaykay's judgment of conviction and sentence are affirmed.